

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard Harvey et al.
Serial No.: 10/648,606
Filing Date: August 25, 2003
Group Art Unit: 2164
Examiner: Alicia M. Lewis
Confirmation No. 4231
Title: WEB SERVICES APPARATUS AND METHODS

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The following Pre-Appeal Brief Request for Review ("Request") is being filed in accordance with the provisions set forth in the Official Gazette Notice of July 12, 2005 ("OG Notice"). Pursuant to the OG Notice, this Request is being filed concurrently with a Notice of Appeal. Applicants respectfully request reconsideration of the application in light of the remarks set forth below.

REMARKS

Applicants received a Final Office Action dated February 23, 2010 (“Final Office Action”) and an Advisory Action dated May 14, 2010 (“Advisory Action”). At the time of the Advisory Action, Claims 1-5 and 8-10 were pending, of which, Claims 1-5 and 8-10 were rejected. Applicants seek review of the rejection of Claim 10. Applicants do not seek review of Claims 1-5, 8, and 9. Applicants request a finding that the rejection of Claim 10 is improper.

Section 103 Rejections

The Examiner rejects Claim 10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0204958 A1 by Perkins et al. (“*Perkins*”) in view of U.S. Patent No. 7,200,869 B1 to Hacherl et al. (“*Hacherl*”), and further in view of U.S. Patent Publication No. 2004/0213409 A1 by Murto et al. (“*Murto*”). Applicants respectfully traverse these rejections and submit that the cited references do not teach or suggest each and every limitation of the claims.

For example, the cited references fail to teach or suggest an “a directory module that implements a Universal Description, Discovery, and Integration (UDDI) registry in a Lightweight Directory Access Protocol (LDAP) directory,” as recited by Claim 10. The Examiner concedes that *Perkins* and *Hacherl* do not disclose this limitation. *See Final Office Action*, Page 11. Instead, the Examiner contends that *Murto* discloses this limitation, but this is incorrect. *Murto* discloses mobile phones that access a UDDI registry. *See Murto*, Figure 1, paragraph 12. Applicants respectfully submit that merely disclosing a registry that may be accessed by mobile phones in no way teaches or suggests implementing a UDDI registry in an LDAP directory. Thus, the cited references do not teach or suggest “a directory module that implements a Universal Description, Discovery, and Integration (UDDI) registry in a Lightweight Directory Access Protocol (LDAP) directory.”

As another example, the cited references fail to teach or suggest “at least one TModel object, wherein the at least one TModel object comprises a keyed reference to the at least one Binding Template object, and the at least one TModel object is arranged under the at least one User object.” The Examiner concedes that *Perkins* and *Hacherl* do not disclose this

limitation. *See Final Office Action*, Page 12. The Examiner contends that Paragraphs 53-56, 59, and 61-63 of *Murto* disclose this limitation. *See Final Office Action*, Page 12. In particular, the Examiner argues that “Murto teaches that a tmodel object has a reference to the binding template object” and “further that a tmodel object is arranged under a business entity.” *See Final Office Action*, Page 12. Applicants respectfully disagree. Applicants note that the portions cited by the Examiner refer to a registry search menu presented to a user of a mobile phone in a browser. *See Murto*, Paragraph 49. *Murto* discloses that one menu option that may be selected is “T_MODEL DATA.” *See Murto*, Paragraph 56. However, at no point does *Murto* teach or suggest that the tModel object selectable by the user **includes a keyed reference to a Binding Template object**, and *Murto* certainly does not teach or suggest that the tModel object is **arranged under at least one User object**. Instead, Paragraph 63 of *Murto* merely explains that a bindingTemplate XML element may include a pointer to the tModel data, stating:

[0063] A fourth type of data in the UDDI registry is the tModel XML element, which is pointed to by a pointer in the bindingTemplate XML element. The tModel XML element specifies the protocols, interchange formats and interchange sequencing rules for accessing web pages from the business' server having the service information specified in the businessService XML element.

Thus, the cited references do not teach or suggest “at least one TModel object, wherein the at least one TModel object comprises a keyed reference to the at least one Binding Template object, and the at least one TModel object is arranged under the at least one User object.”

As another example, the cited references fail to teach or suggest “at least one Binding Template object, wherein the at least one Binding Template object comprises data identifying a plurality of service specifications.” The Examiner concedes that *Perkins* and *Hacherl* do not disclose this limitation. *See Final Office Action*, Page 11. The Examiner contends that Paragraphs 54-55, 59, and 62 of *Murto* disclose this limitation. *See Final Office Action*, Page 12. Applicants respectfully disagree. Again, Applicants note that the cited portions merely refer to a registry search menu presented to a user of a mobile phone in a browser. *See Murto*, Paragraph 49. *Murto* discloses that one menu option that may be selected is “BINDING TEMPLATE DATA.” *See Murto*, Paragraph 55. However, at no point does

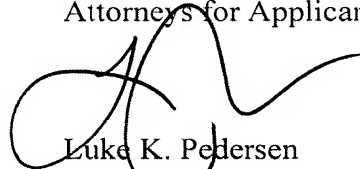
Murto teach or suggest that the binding template data comprises data identifying a plurality of service specifications. Thus, the cited references do not teach or suggest “at least one Binding Template object, wherein the at least one Binding Template object comprises data identifying a plurality of service specifications.”

As another example, the cited references fail to teach or suggest “a registry in which businesses may register . . . comprising . . . at least one User object, wherein . . . the at least one User object comprises security information defining what objects a user has access to in the hierarchical directory.” The Examiner concedes that *Perkins* does not teach or suggest this limitation. *See Final Office Action*, Page 10. Instead, the Examiner contends that *Hacherl* discloses this limitation. Applicants respectfully disagree. *Hacherl* discloses a user account in an operating system. *See Hacherl*, Column 6, lines 30-36. Applicants respectfully submit that a user account in an operating system in no way teaches or suggests a User object in a **registry in which businesses may register**. Thus, *Hacherl* does not teach or suggest “a registry in which businesses may register . . . comprising . . . at least one User object, wherein . . . the at least one User object comprises security information defining what objects a user has access to in the hierarchical directory.” For at least these reasons, Applicants respectfully submit that Claim 10 is patentably distinguishable from the cited references.

CONCLUSION

As the rejections of Claim 10 contains clear legal and factual deficiencies, Applicants respectfully request a finding of allowance of Claim 10. If the PTO determines that an interview is appropriate, Applicants would appreciate the opportunity to participate in such an interview. To the extent necessary, the Commissioner is hereby authorized to charge any required fees or credit any overpayments to Deposit Account No. **02-0384** of **Baker Botts L.L.P.**

Respectfully submitted,
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